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REMARKS

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Response to Rejections Under 35 USC §102(e)

The Examiner had rejected claims 13-17, all of the claims pending in the application, on the basis of Jachimowicz, US 6,096,666 issued 08-01-2000 on an application filed in the US on 04-29-1998.

Specifically, in attempting to read claims 13-17 on the Jachimowicz reference the Examiner had referred to (a) col. 2, lines 18-27; (b) col. 2, lines 48-seq.; and (c) col. 3, lines 3-23. Applicants respectfully submit that the cited portions of the Jachimowicz reference do not anticipate claims 13-17. To demonstrate, applicants' claim 13 is compared side by side to the cited portions of the Jachimowicz disclosure:

Applicants' Claim 13:

A wearable article of clothing, comprising: a flexible strap configured and sized to secure onto a wearer, the flexible strap comprising a non-woven holographic layer covering at least a portion of the strap's or surface.

Jachimowicz, col. 2, lines 18-27:

Briefly stated, provided is a textile fiber that selectively absorbs and reflects different wavelengths of light, using the interference properties of light to accomplish this. A plurality of these textile fibers in combination form a holographic textile fabric. The plurality of textile fibers are characterized as including a central core and a plurality of layers of an optical media overcoating the central core. A plurality of interference patterns are created as a result of an incident light upon the plurality of holographic fibers, that in combination form colors, patterns and images.

ARGUMENT: Based on a comparison of the above, it is apparent that Col. 2, lines 18-27 of the Jachimowicz reference does not disclose any of the particular limitations explicitly set forth in claim 13, namely: flexible strap, sized to secure onto a wearer, or non-woven that are clearly enumerated in claim 13. Accordingly, it is only by reading out of claim 13 these terms that

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the Examiner could reject claim 13 as "fully met" or unpatentable over Jachimowicz. Applicants submit that a rejection so made was improper. Further, a text search of the Jachimowicz reference shows that the limitations set out above in claim 13 are not to be found anywhere else in the Jachimowicz reference. Accordingly, applicants request that the rejection of claim 13 be withdrawn. A comparison of other portions of Jachimowicz cited by the Examiner, i.e., lines 48-seq.; and (c) col. 3, lines 3-23, yields similar "not found therein" results:

Applicants' Claim 13:

A wearable article of clothing, comprising: a flexible strap configured and sized to secure onto a wearer, the flexible strap comprising a non-woven holographic layer covering at least a portion of the strap's or surface.

Jachimowicz Col2, lines 48 et seq:
DETAILED DESCRIPTION OF THE DRAWINGS

Holographic textile fibers can be utilized as clothing fibers that selectively absorb or reflect different wavelengths of light using layers of transparent optical media with differing indices of refraction. When these layers of differing indices of refraction are positioned correctly with respect to incident light, colors, patterns and images are formed by the resulting interference patterns. This is standard in holograms and multi-layer interference coatings. Holograms use patterns of varying index of refraction to create an interference pattern which replicates an object and forms a three-dimensional image. Multi-layer interference coatings are designed to selectively reflect a particular band of wavelengths, while transmitting others. When utilizing a plurality of these holographic optical fibers to form a holographic textile fabric, the resulting interference patterns of the plurality of holographic textile fibers form varying colors, patterns, and images, and thus can be utilized to form displays in textile fabrics, more particularly in clothing.

Referring now to FIG. 1 illustrated is a prior art multi-layer filter device 10, including a multi-layer interference

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coating 12 formed on a glass substrate 14. As illustrated, multi-layer interference coating 12 includes a first layer 16 having an index of refraction of n_2 and a thickness of d_2 , a second layer 18 having an index of refraction of n_1 and a thickness of d_1 , a third layer 20 having an index of refraction of n_2 and a thickness of d_2 and a fourth layer 22 having an index of refraction of n_1 and a thickness of d_1 . In this particular example, device 10 is designed where an incident light 24 is composed of first wavelength, red light, second wavelength, green light and third wavelength blue light. Multi-layer interference coating 12 composed of layers 16, 18, 20 and 22 is deposited on an uppermost surface 15 of glass substrate 14. The indices of refraction, n_1 and n_2 , and the thicknesses, d_1 and d_2 , of multi-layer overcoating 12, composed of the plurality of layers of optical media, are chosen such that third wavelength, blue light 26 is transmitted and first wavelength, red light and second wavelength, green light, 28 are reflected. Accordingly, dependent upon the chosen indices of refraction and thickness of multi-layer overcoating 12, specific wavelengths of light will be transmitted and specific wavelengths of light will be reflected through filter device 10.

Again, a search of the portions of the Jachimowicz reference cited by the Examiner, as well as a search of the entire Jachimowicz reference, show that the limitations set out above in claim 13 are not to be found anywhere else in the Jachimowicz reference. Accordingly, applicants request that the rejection of claim 13 be withdrawn.

On the same basis the further limitations set forth in dependent claims 14-17, inter alia, leather, metal, removable are not anywhere found in the Jachimowicz reference.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also MPEP § 2131.02. "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed.Cir. 1989). *Jachimowicz* does not teach or suggest

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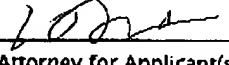
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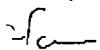
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a flexible strap, *Jachimowicz* does not teach or suggest a flexible *strap* that *is configured and sized*, as applicants recite; *Jachimowicz* does not *teach* a suggest flexible *strap, configured and secured onto a wearer*, comprising a *non-woven holograph layer*.

Accordingly, applicants respectfully request that the rejections of claims 13-17 be withdrawn and the case be passed to issue. Should Examiner desire to discuss the application, please contact the undersigned at (408) 392-9250.

Certificate of Transmission	
I hereby certify that this correspondence is being transmitted via facsimile to 571-273-8300 to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 28, 2007.	
 _____ Attorney for Applicant(s)	<u>2/28/2007</u> _____ Date

Respectfully submitted,


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